
 S T A T U T O R Y I N S T R U M E N T S

1985 No. 1579

**TOWN AND COUNTRY PLANNING,
ENGLAND AND WALES**

**The Town and Country Planning (New Towns)
Special Development (Amendment) Order 1985**

Made - - - - - 11th October 1985
Laid before Parliament 25th October 1985
Coming into Operation 15th November 1985

The Secretary of State for the Environment, in relation to England, and the Secretary of State for Wales, in relation to Wales, in exercise of the powers conferred on them by sections 24 and 287 of the Town and Country Planning Act 1971(a) as extended by section 7(2) of the New Towns Act 1981(b), and of all other powers enabling them in that behalf, hereby make the following order:—

Citation, commencement and interpretation

1.—(1) This order may be cited as the Town and Country Planning (New Towns) Special Development (Amendment) Order 1985 and shall come into operation on 15th November 1985.

(2) In this order—

“the 1977 order” means the Town and Country Planning (New Towns) Special Development Order 1977(c), and “development corporation” has the same meaning as in the 1977 order.

Amendment of the 1977 order

2.—(1) The 1977 order is hereby amended as follows—

- (a) in article 2(1), the definition of “transfer date” shall be omitted;
- (b) in article 3(1), sub-paragraph (a) shall be omitted; and
- (c) in article 3(3)(a), the words “before the transfer date as respects that development corporation” shall be omitted.

(2) The foregoing amendments shall only have effect where the transfer date as respects a development corporation falls after the date on which this order comes into operation.

(a) 1971 c. 78.

(b) 1981 c. 64.

(c) S.I. 1977/665.

(3) In this article "the transfer date" as respects a development corporation means the date specified in an order made by the Secretary of State under section 41(1) of the New Towns Act 1981 as the date on which the property of that corporation (other than property excepted under the following provisions of that Act) shall vest in the Commission for the New Towns.

Kenneth Baker,
Secretary of State for the Environment.

2nd October 1985.

Nicholas Edwards,
Secretary of State for Wales.

11th October 1985.

EXPLANATORY NOTE

(This Note is not part of the Order.)

This order amends the Town and Country Planning (New Towns) Special Development Order 1977 ("the 1977 order"). The 1977 order permits development of land in England and Wales within any area for the time being designated as the site of a new town, where the development is in accordance with proposals approved by the Secretary of State.

Where permission for development in a new town granted by the 1977 order is in force on the date on which the property of a development corporation is transferred to the Commission for the New Towns ("the transfer date"), the permission continues in force as if references in the order to the development corporation included the Commission (paragraph 3(3)(a) of Schedule 10 to the New Towns Act 1981).

The 1977 order, however, restricted the development powers of the Commission after the transfer date to two categories of case. The first is where a binding contract for the development by the development corporation had been entered into before that date and the second is where a development corporation had disposed of land to any person before the transfer date. This order removes these restrictions, thus enabling the Commission to undertake development itself and to authorise development by other persons, where the transfer date as respects a development corporation occurs after 15th November 1985.

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